

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>KIRT W. CLAYTON, et al</b>	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
<b>CHILDRENS CHOICE, et al</b>	:	<b>NO. 09-5727</b>

**ORDER**

**AND NOW**, this 18th day of August, 2010, upon consideration of the Motion to Dismiss Plaintiff's Complaint Filed on Behalf of Defendants The Honorable Kevin Dougherty, The Honorable Paula Patrick, and The Honorable Margaret Murphy (Document No. 7), the Motion of Defendants, Children's Choice, Inc., Dr. William Eberwein and Dr. Carolyn Eberwein, for Dismissal Pursuant to Fed. R. Civ. P. 12(b) (Document No. 9), the Motion to Dismiss Plaintiffs' Complaint Filed on Behalf of Defendant The Honorable Charles Cunningham (Document No. 11), the Defendants' Motion to Dismiss Plaintiffs' Complaint (Document No. 12), the plaintiffs' oral responses, and after oral argument, it is **ORDERED** that the motions are **GRANTED**.

**IT IS FURTHER ORDERED** that the complaint is **DISMISSED**.

/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.